

## **Title 16, PHYSICAL THERAPY BOARD OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Physical Therapy Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at Burbank Airport Hilton and Convention Center, 2500 Hollywood Way in Burbank, California 91505, on May 11, 2004 at 9:30 a.m. The telephone number to Burbank Airport Hilton and Convention Center is (818) 843-6000.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Physical Therapy Board of California at its office not later than 5:00 p.m. on April 26, 2004 or must be received at the hearing. The Physical Therapy Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2615 of the Business and Professions Code, and to implement, interpret or make specific sections 2650 and 2653, the Physical Therapy Board of California is considering changes to Division 13.2 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

- 1) Amend section 1398.26 and
- 2) Adopt section 1398.26.5

Business and Professions Code section 2653 authorizes the Board to establish the educational qualifications of applicants for licensure as physical therapists from foreign schools.

Existing regulations establish criteria for approval of foreign educated physical therapists while commencing their period of clinical service.

The Physical Therapy Board of California proposes to amend Section 1398.26 by deleting the clinical service criteria in section 1398.26 subsections (c) and (d) and proposes to add section 1398.26.5. Section 1398.26.5 specifies how, and by whom, the period of clinical service is to be certified and clarifies the means by which waivers may be granted by the Board. Further, the Board proposes to add subsection (e) to 1398.26.5 to make clear the Board's authority to enforce the provisions of this regulation.

### FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

#### Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:  
None

#### Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Private Persons or Entities: The Physical Therapy Board of California is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

#### EFFECT ON SMALL BUSINESS

The Physical Therapy Board of California has determined that the proposed regulations would not affect small businesses since the responsibility of compliance is placed with the individual licensee.

#### CONSIDERATION OF ALTERNATIVES

The Physical Therapy Board of California must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome on affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

#### INITIAL STATEMENT OF REASONS AND INFORMATION

The board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of the reasons and all of the other information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Physical Therapy Board of California at 1418 Howe Avenue, Suite 16, Sacramento, California 95825.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

## CONTACT PERSON

Inquiries concerning the proposed administrative action or the substance of the proposed regulations may be addressed to:

Christina Metzen  
1418 Howe Avenue, Suite 16  
Sacramento, CA 95825  
(916) 561- 8200  
(916) 263-2560 – Fax Number  
[Christina\\_Metzen@dca.ca.gov](mailto:Christina_Metzen@dca.ca.gov)

The backup contact person is:

Arlyce Ten Broeck  
1418 Howe Avenue, Suite 16  
Sacramento, CA 95825  
(916) 561-8200  
(916) 263-2560 – Fax Number  
[concept1@comcast.net](mailto:concept1@comcast.net)

Inquiries concerning the substance of the proposed regulations may be directed to Christina Metzen at (916) 561-8271.

Website Access: Materials regarding this proposal can be found at [www.ptb.ca.gov](http://www.ptb.ca.gov).